

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JEAN JADEL ALEXANDRE,)
 Petitioner,)
)
v.)
)
BRUCE CHADBOURNE,)
DISTRICT DIRECTOR,)
IMMIGRATION AND)
CUSTOM ENFORCEMENT,)
 Respondent.)

CIVIL ACTION NO:
04-10319-PBS

RESPONDENT'S STATEMENT OF REMOVAL

Now comes the Respondent, to inform the court that counsel for the Respondent has learned this afternoon that the above captioned Petitioner was removed on February 16, 2004, prior to the filing of the instant action. As such, the Respondent's notice of scheduling of removal, dated February 18, 2004, was erroneous. The mis-communication that led to the filing of that notice has not yet been identified.

While the filing of the erroneous notice of scheduling of removal is eminently regrettable, the Respondent notes that the removal of the Petitioner did not contravene, in letter or spirit, any order of this court.

The Petitioner voluntarily dismissed an earlier habeas action (Docket # 03-12357-PBS) on January 20, 2004, and was removed on February 16, 2004, prior to the filing of the instant habeas petition on February 17, 2004.

By his attorneys,

MICHAEL J. SULLIVAN
United States Attorney

/s/ Mark J. Grady
MARK J. GRADY
Assistant U.S. Attorney
U.S. Attorney's Office
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
Tel. No. (617) 748-3136

Certificate of Service

I hereby certify that a true copy of the above document was served upon counsel for the Petitioner, Steven Lagana, Lagana & Associates, 145 Essex Street, Lawrence, MA 01841, by mail and fax on this 26th day of February 2004.

Mark J. Grady
Assistant U.S. Attorney